

Title 1

GENERAL PROVISIONS

Chapters:

- 1.01 Code Adoption
- 1.04 General Provisions
- 1.08 General Penalty

Chapter 1.01

CODE ADOPTION

Sections:

- 1.01.010 Adoption.
- 1.01.020 Title--Reference--Citation.
- 1.01.030 Ordinances passed prior to adoption of the code.
- 1.01.040 Codification authority.
- 1.01.050 Reference to specific ordinances.
- 1.01.060 Effective date.

1.01.010 Adoption. Pursuant to the provisions of CRS Sections 31-16-201 through 31-16-208, as amended, there is adopted the "La Veta Municipal Code," as published by Book Publishing Company, Seattle, Washington. (Ord. 118 §1, 1983)

1.01.020 Title--Reference--Citation. This code shall be known as the "La Veta Municipal Code." It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any portion thereof as an addition to, amendment to, correction or repeal of the "La Veta Municipal Code." Further reference may be had to the titles, chapters, sections and subsections of the "La Veta Municipal Code" and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code. (Ord. 118 §2, 1983)

1.01.030 Ordinances passed prior to adoption of the code. The last ordinance included in the original code is Ordinance 114, passed June 7, 1983. The following ordinances, passed subsequent to Ordinance 114, but prior to the adoption of this code, are adopted and made a part of this code: Ordinances 115, 116 and 117. (Ord. 118 §3, 1983)

1.01.040 Codification authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the town of La Veta,

Colorado, codified pursuant to the provisions of CRS 31-16-201 through 31-16-208. (Ord. 118 §4, 1983)

1.01.050 Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with, ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within the code. (Ord. 118 §5, 1983)

1.01.060 Effective date. This code shall become effective thirty days after publication of the ordinance codified in this chapter. (Ord. 118 §6, 1983)

Chapter 1.04

GENERAL PROVISIONS

Sections:

- 1.04.010 How code designated and cited.
- 1.04.020 Definitions and rules of construction.
- 1.04.030 Amendments.
- 1.04.040 Severability.
- 1.04.050 Effect of repealing ordinances.
- 1.04.060 Fees.

1.04.010 How code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated "The Code of the Town of La Veta, Colorado," and may be so cited. Such ordinances may also be cited as "Town of La Veta Municipal Code." (Ord. 112 §1-1-1, 1983)

1.04.020 Definitions and rules of construction.

In the construction of the Code and of all ordinances of the town, the following definitions and rules of construction shall be observed, unless it shall be otherwise expressly provided in any section or ordinance, or unless inconsistent with the manifest intent of the ordinance:

A. Definitions.

1. "Board" or "trustees" means the board of trustees of the town of La Veta, Colorado.
2. "Code" means "The Code of the Town of La Veta" as published and subsequently amended, unless the context requires otherwise.
3. "County" means the county of Huerfano, Colorado.
4. "Day" is the period of time between any midnight and the midnight following.
5. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.
6. "In the town" means and includes all territory over which the town now has, or shall hereafter acquire, the jurisdiction for the exercise of its police powers or other regulatory powers.
7. "Month" means a calendar month.

8. "Oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

9. "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole or a part of such building or land.

10. "Person" includes a firm, partnership, corporation, association, or other organization acting as a group or unit as well as an individual.

11. "Preceding" and "following" mean next before and next after, respectively.

12. "Property" includes real, tangible and intangible personal property.

13. "Public way" includes any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

14. "Real property" includes lands, tenements, and hereditaments.

15. "Sidewalk" means the portion of the street between the curb line and the adjacent property line, intended for the use of pedestrians.

16. "State" means the state of Colorado.

17. "Street" means and includes any public way, highway, street, avenue, boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them.

18. "Tenant" or "occupant" applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

19. "Town" or "this town" means the town of La Veta, Colorado.

20. "Year" means a calendar year, unless otherwise expressed.

B. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

C. When an ordinance requires an act to be done which may as well be done by an agent as by the principal, such requirement shall be construed to include all such acts when done by an authorized agent.

D. The time within which an act is to be done shall be computed by excluding the first and including the last day; but if the time for an act to be done shall fall on Sunday or a legal holiday, the act shall be done upon the day following such Sunday or legal holiday.

E. Every word in any ordinance importing the masculine gender shall extend to and be applied to females as well as males, and associations and bodies corporate as well as individuals, shall be included.

F. "Shall" is mandatory and "may" is permissive.

G. The title of any section or subsection of this code shall not be deemed to in any way restrict, qualify or to limit the effect of the provisions set forth and contained in such section or subsection.

H. In all cases where any ordinance shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty, or compliance with such notice. (Ord. 112 §1-1-2, 1983)

1.04.030 Amendments.

Any additions or amendments to this code shall be adopted as ordinances as required by state law, and when passed in such form as to indicate the intention to make the same a part thereof, shall be incorporated into this code so that reference to it as "The Code of the Town of La Veta," shall be understood as including such additions or amendments. (Ord. 112 §1-1-3, 1983)

1.04.040 Severability.

The provisions of this code are declared to be severable, and if any section, provision, or part thereof shall be held unconstitutional or invalid, the remainder of this code shall continue in full force and effect, it being the legislative intent that this code would have been adopted even if such unconstitutional matter had not been included therein. It is further declared that if any provision or part of this code, or the application thereof to any person or circumstances is held invalid, the remainder of this code and the application thereof to other persons shall not be affected thereby. (Ord. 112 §1-1-4, 1983)

1.04.050 Effect of repealing ordinances.

The repeal of any provision of this code shall not affect any right which has accrued, any duty imposed, any penalty incurred, nor any action or proceedings as commenced under or by virtue of the provision repealed, nor the tenure of an office of any person holding office at the time when such repeal shall take effect. The repeal of any provision of this code shall not revive any provision or any ordinance theretofore repealed or superseded. (Ord. 112 §1-1-5, 1983)

1.04.060 Fees.

The town board may, by resolution adopted by a majority of the board, set fees for any town services, applications, or appeals unless such fees are required to be set forth by ordinance pursuant to state law.  
(Ord. No. 251, § 1, 6-16-2009)

Chapter 1.08

GENERAL PENALTY

Sections:

1.08.010 Designated.

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A. Whenever in this code or any other ordinance or resolution of the town or any rule or regulation promulgated under the provisions of this code any act is prohibited or declared to be unlawful or an offense or a misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, any person who shall be convicted of the violation of any such provision of this code or other ordinance or resolution of the town hereafter enacted or of such rules or regulations shall be punished by a fine of not more than three hundred dollars or by imprisonment in jail not exceeding ninety days or by both such fine and imprisonment.

B. Everyday any violation of this code or any other ordinance or resolution of the town or any rule or regulation promulgated under the provisions of this code shall continue shall constitute a separate offense.

C. Excluding those violations committed under Title 10 of this code, and any codes adopted by reference therein for which penalties as specified in this first paragraph of this section may be applied, all violations of this code or any other ordinance of the town hereinafter enacted by any minor under the age of eighteen years shall not be punishable by imprisonment, but shall be punishable by a fine of not more than three hundred dollars or by probation not exceeding one year, or by such fine, probation and restitution as provided for in this code.

D. Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of

any act in violation of this code or other ordinance of the town, whether individually or in connection with one or more persons, or as a principal, agent or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this code is likewise guilty of such offense.  
(Ord. 112 §1-1-6, 1983)  
(Ord. No. 250, § 1, 6-16-2009)